



County of Fairfax, Virginia

2015 Planning Commission

Peter F. Murphy
Chairman
Springfield District

Frank de la Fe
Vice Chairman
Hunter Mill District

James R. Hart
Secretary
At-Large

Timothy J. Sargeant
Parliamentarian
At-Large

John Ulfelder
Dranesville District

Earl L. Flanagan
Mount Vernon District

Janyce N. Hedetniemi
At-Large

Ellen J. "Nell" Hurley
Braddock District

John L. Litzenberger
Sully District

Kenneth A. Lawrence
Providence District

James Migliaccio
Lee District

Julie Strandlie
Mason District

Jill G. Cooper
Executive Director

Kimberly A. Bassarab
Assistant Director

John W. Cooper
Clerk to the Commission

July 24, 2015

Inda Stagg
Walsh, Colucci, Lubeley & Walsh, PC
2200 Clarendon Boulevard, Suite 1300
Arlington, VA 22201

Re: SE 2015-SP-012 – MACY'S RETAIL HOLDINGS, INC.
Springfield District

Dear Ms. Stagg:

At its July 23, 2015 meeting, the Planning Commission voted 10-0 (Commissioners de la Fe and Lawrence were absent from the meeting) to **RECOMMEND APPROVAL** of the above-referenced application. A copy of the verbatim transcript is attached.


This letter serves as a record of the Planning Commission's recommendation to the Board of Supervisors and not as the final approval. The application is still subject to final decision by the Board of Supervisors.

This action does not constitute exemption from the various requirements of this county and state. The applicant is responsible for ascertaining if permits are required and obtaining the necessary permits such as Building Permits, Residential Use Permits and Non-Residential Use Permits. Information concerning building permits may be obtained by calling 703-222-0801.

Sincerely,


John W. Cooper
Clerk to the Planning Commission

cc: Pat Herrity, Supervisor, Springfield District
Peter Murphy, Planning Commissioner, Springfield District
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office
Michael Lynskey, Staff Coordinator, ZED, DPZ
Robert Harrison, ZED, DPZ
July 23, 2015 date file

 To request special accommodations, call the Planning Commission office at 703-324-2865, TTY 703-324-7951. Please allow seven working days to make the appropriate arrangements.



PROPOSED DEVELOPMENT CONDITIONS

SE 2015-SP-012

July 8, 2015

If it is the intent of the Board of Supervisors to approve SE 2015-SP-012, located at 11700 Lee Jackson Memorial Highway, Tax Parcel 46-3 ((8)) 5, for a waiver of certain sign regulations, pursuant to Sect. 9-620 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land. Minor deviations in sign location, design and area may be permitted when the Zoning Administrator determines that such deviations are minor and are in substantial conformance with the SE Plat.
2. The scope of this Special Exception shall apply only to building-mounted signage as specifically depicted on the SE Plat, and shall supersede all previous Special Exceptions and Special Permits for building-mounted signage on this parcel. Separate Special Exceptions or Special Permits shall be allowed for freestanding signage, including SE 2014-SP-007 (approved June 17, 2014). Any additional building-mounted signs on this parcel that require a permit shall require an amendment to this Special Exception.
3. Any sign permitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled "Macy's at Fair Oaks Mall", consisting of five sheets and prepared by Walter L. Phillips, Incorporated, dated March 31, 2015, and these conditions. The number, size and total sign area for each sign type shall be consistent with the table of signage on Sheet 1 of the SE Plat. Signs not requiring permits, allowed by Section 12-103 in the Ordinance, may be permitted, as qualified by these development conditions
4. All sign lighting shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Sign Permits through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established; for the purpose of this SE, the use shall be deemed to be established with the issuance of the first sign permit for an approved sign, and the installation of such sign. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Planning Commission Meeting
July 23, 2015
Verbatim Excerpt

SE 2015-SP-012 – MACY’S RETAIL HOLDINGS, INC.

After Close of the Public Hearing

Secretary Hart: I’ll recognize Mr. Murphy.

Commissioner Murphy: Thank you, Mr. Chairman. This is a very straightforward application. As we all know that when the Hecht’s at Fair Oaks Mall departed, they put in a Macy’s I and a Macy’s II. There are two Macy’s stores there. And one Macy’s is changing its name to Macy’s Furniture so they have asked for a Special Exception to put a sign in on those stores – that indicate - that – it’s change of name. We’re glad to see that Macy’s is prospering at that mall on – it’s two important anchors bringing in a lot of money to the County with tax dollars and we appreciate that. And I can’t tell you how much we enjoy every store out in Fair Oaks Mall. And Robby Stark, who is the director of the mall out there, does an outstanding job making a really top notch – top notch facility. This application is in conformance with the Comprehensive Plan and meets the Special Exception Zoning Ordinance standards. And I would ask – if the applicant would please come forward, identify yourself for the record, and please reaffirm that you have read the development conditions – you understand the development conditions and you will live by those development conditions.

Inda Stagg, Applicant’s Agent, Walsh, Colucci, Lubeley & Walsh, PC: Yes sir. My name is Inda Stagg. I’m with Walsh Colucci. We represent the applicant and we have looked at the development conditions and agree to them.

Commissioner Murphy: Thank you very much. Therefore, Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SE 2015-SP-012, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioners Litzenberger and Sargeant: Second.

Secretary Hart: Seconded by Commissioner Sargeant and Commissioner Litzenberger. Any discussion? Seeing none, we’ll move to a vote. All in favor, please say aye.

Commissioners: Aye.

Secretary Hart: Those opposed? That motion carries.

Commissioner Murphy: Thank you very much. Thank you, Inda.

//

(The motion carried by a vote of 10-0. Commissioners de la Fe and Lawrence were absent from the meeting.)

JLC